

ONTARIO REGULATION 546/20

made under the

REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020

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Amending O. Reg. 364/20

(RULES FOR AREAS IN STAGE 3)

1. Ontario Regulation 364/20 is amended by adding the following section:

Definition

2. In this Order,

“enhanced measures zone” means,

- (a) the City of Ottawa Health Unit,
- (b) the City of Toronto Health Unit, and
- (c) the Peel Regional Health Unit.

2. (1) Section 2 of Schedule 1 to the Regulation is amended by adding the following subsections:

(4) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area unless the person in the indoor area,

- (a) is a child who is younger than two years of age;
- (b) is attending a school or private school within the meaning of the *Education Act* that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- (c) is attending a child care program at a place that is in compliance with the child care re-opening guidance issued by the Ministry of Education;
- (d) is receiving residential services and supports in a residence listed in the definition of “residential services and supports” in subsection 4 (2) of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;
- (e) is in a correctional institution or in a custody and detention program for young persons in conflict with the law;
- (f) is performing or rehearsing in a film or television production or in a concert, artistic event, theatrical performance or other performance;
- (g) has a medical condition that inhibits their ability to wear a mask or face covering;
- (h) is unable to put on or remove their mask or face covering without the assistance of another person;
- (i) needs to temporarily remove their mask or face covering while in the indoor area,
 - (i) to receive services that require the removal of their mask or face covering,
 - (ii) to engage in an athletic or fitness activity,
 - (iii) to consume food or drink, or
 - (iv) as may be necessary for the purposes of health and safety;
- (j) is being accommodated in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (k) is being reasonably accommodated in accordance with the *Human Rights Code*; or
- (l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

(5) Subsection (4) does not apply with respect to premises that are used as a dwelling if the person responsible for the business or organization ensures that persons in the premises who are not entitled to an exception set out in subsection (4) wear a mask or face covering in a manner that covers their mouth, nose and chin in any common areas of the premises in which persons are unable to maintain a physical distance of at least two metres from other persons.

(6) For greater certainty, it is not necessary for a person to present evidence to the person responsible for a business or place that they are entitled to any of the exceptions set out in subsection (4).

(2) Section 4 of Schedule 1 to the Regulation is revoked and the following substituted:

Meeting or event space

4. (1) The person responsible for a business or place that is open may only rent out meeting or event space if the total number of members of the public permitted to be in all of the rentable meeting or event space in the business or place at any one time is limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event is not permitted to exceed,

- (a) 50 persons, if the meeting or event is indoors; or
- (b) 100 persons, if the meeting or event is outdoors.

(2) Subsection (1) does not apply to the rental of meeting or event space for the purpose of a wedding, funeral or religious service, rite or ceremony that is authorized under section 3, 4 or 5 of Schedule 3.

(3) Subsection (1) does not apply to the rental of meeting or event space for the purpose of delivering or supporting the delivery of court services.

(4) Subsection (1) does not apply if the rental of meeting or event space is in compliance with a plan for the rental of meeting or event space approved by the Office of the Chief Medical Officer of Health.

(5) In the enhanced measures zone, the following rules apply to a person responsible for a business or place that rents out meeting or event space:

- 1. The person must ensure that no more than six people are seated together at a table in the rented space.
- 2. Despite subsection (4), the total number of members of the public permitted to be in all of the rentable meeting or event space in the business or place at any one time is not permitted to exceed the capacity limits set out in subsection (1) of 50 persons for an indoor meeting or event or 100 persons for an outdoor meeting or event even if the business or place is in compliance with a plan for the rental of meeting or event space approved by the Office of the Chief Medical Officer of Health, except to the extent that an exception set out in subsection (2) or (3) applies to the rental.

3. (1) Subparagraph 5 i of subsection 1 (1) of Schedule 2 to the Regulation is amended by adding “subject to subsection (1.0.1)” at the beginning.

(2) Subsection 1 (1) of Schedule 2 to the Regulation is amended by adding the following paragraphs:

- 7. In the enhanced measures zone, the total number of patrons permitted to be indoors in the establishment must be limited to the number that can maintain a physical distance of at least two metres from every other person in the establishment, and in any event cannot exceed 100 patrons.
- 8. In the enhanced measures zone, no more than six people may be seated together at a table in the establishment.
- 9. In the enhanced measures zone, no patron may be permitted to line up or congregate outside of the establishment unless they are,
 - i. maintaining a physical distance of at least two metres from other groups of persons outside the establishment, and
 - ii. wearing a mask or face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions set out in subsection 2 (4) of Schedule 1.

(3) Section 1 of Schedule 2 to the Regulation is amended by adding the following subsections:

(1.0.1) In the enhanced measures zone, the requirement set out in subparagraph 5 i of subsection (1) may only be satisfied by recording the name and contact information of every patron that enters an area of the establishment described in that subparagraph, unless,

- (a) the patrons temporarily enter the area to place, pick up or pay for a take out order, in which case subparagraph 5 i of subsection (1) does not require their name and contact information to be recorded; or
- (b) the establishment is a limited-service establishment, in which case the requirement in subparagraph 5 i of subsection (1) continues to require the collection of the name and contact information of at least one member of every party of patrons.

(1.0.2) For the purposes of clause (1.0.1) (b), an establishment is a limited-service establishment if it requires all dine-in patrons to order or select their food or drink at a counter, food bar or cafeteria line and pay before receiving their order.

(4) Section 8 of Schedule 2 to the Regulation is amended by adding the following subsection:

(1.2) In the enhanced measures zone, the following rules apply despite paragraphs 2 and 3 of subsection (1) and despite anything set out in the plan described in subsection (1.1):

1. The total number of members of the public permitted to be indoors at the facility in classes, organized programs or organized activities together with members of the public in a room containing weights or exercise machines at any one time cannot exceed 50 people.
2. The total number of members of the public permitted to be in each indoor fitness, exercise or dance class at the facility cannot exceed 10 people and each class must take place in a separate room.

Commencement

4. This Regulation comes into force on the later of October 3, 2020 and the day it is filed.

Français

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